



Docket No.: 209401US2



COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

MARVIN J. SPIVAK  
(703) 413-3000  
MSPIVAK@OBLO.COM

RE: Application Serial No.: 09/880,112

Applicants: Toshio SATO, et al.

Filing Date: June 14, 2001

For: ELECTRIC ACTUATOR

Group Art Unit: 3722

Examiner: BRIGGS, W.

Attention: Rollins-Cross

RECEIVED

JAN 05 2004

TECHNOLOGY CENTER R3700

SIR:

Attached hereto for filing are the following papers:

**REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT**

**ATTORNEY DECLARATION**

**PTO COMMUNICATION DATED DECEMBER 8, 2003**

**COPY OF DATE-STAMPED FILING RECEIPT DATED NOVEMBER 8, 2002**

**COPY OF AMENDMENT COVER LETTER**

**COPY OF AMENDMENT WITH MARKED-UP COPY FILED NOVEMBER 8, 2002**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Marvin J. Spivak

Registration No. 24,913

James D. Hamilton

Registration No. 28,421

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209401US2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF :  
TOSHIO SATO, ET AL. : EXAMINER: BRIGGS, W.  
SERIAL NO: 09/880,112 : GROUP ART UNIT: 3722  
FILED: JUNE 14, 2001 :  
TITLE: ELECTRIC ACTUATOR : **RECEIVED**  
**JAN 05 2004**  
**TECHNOLOGY CENTER 2200**

REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

COMMISSIONER FOR PATENTS  
Alexandria, VA. 22313-1450

Sir:

Responsive to the PTO Communication dated December 8, 2003, Applicants herewith request withdrawal of said abandonment for the following reasons.

An Office Action was mailed by the Examiner on August 13, 2002, with a shortened statutory period of 3 months, to expire on November 13, 2002.

Attached hereto is a copy of the date-stamped filing receipt evidencing filing of a Response to the August 13, 2002 Office Action. Included in the filed response an Amendment w/Marked-Up Copy and Amendment Cover Letter filed on November 8, 2002. Also attached hereto is a copy of the PTO Communication dated December 8, 2003. In order to expedite prosecution, submitted herewith is a resigned certified copy of the documents indicated filed on November 8, 2002.

Application No.: 09/880,112  
Inventor: TOSHIO SATO, et al.  
Request for Withdrawal of Holding of Abandonment

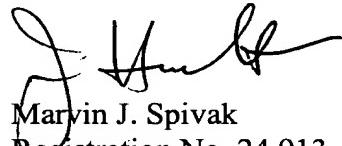
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It is believed that the above discussion and documents resubmitted herewith clearly prove that the timely response to the Office Action was filed and therefore, the holding of abandonment was issued in error.

Accordingly, it is requested the holding of abandonment be withdrawn and that prosecution be allowed to continue in the present application.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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209401US2



**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

IN RE APPLICATION OF:

: ATTN:

TOSHIO SATO, et al.

: EXAMINER: BRIGGS, W.

SERIAL NO.: 09/880,112

: GROUP ART UNIT: 3722

FILED: JUNE 14, 2001

TITLE: ELECTRIC ACTUATOR

**ATTORNEY DECLARATION**

COMMISSIONER FOR PATENTS  
Alexandria, VA 22313-1450

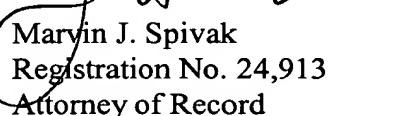
Sir:

I, Marvin J. Spivak, attorney of record in the above-identified application, declare the attached to be a true and accurate copy of material to and from the Patent Office from our file including a copy of PTO Communication letter dated December 8, 2003.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 12/30/03

  
Marvin J. Spivak  
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